

To accompany the petition of Edward T. Simoneau relative to the time for giving notice of damage or injury caused by a defective way. Legal Affairs.

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**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Twenty-Seven.

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An Act relative to Notice of Damage or Injury caused by Defective Way.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Section eighteen of chapter eighty-four of the  
2 General Laws is hereby amended by striking out,  
3 in the first line, the word "ten" and inserting in  
4 place thereof the word: — seven, — and by strik-  
5 ing out, in the third line, the word "thirty" and  
6 inserting in place thereof the word: — fifteen, —  
7 so as to read as follows: — *Section 18.* A person  
8 so injured shall, within seven days thereafter, if  
9 such defect or want of repair is caused by or  
10 consists in part of snow or ice, or both, and in all  
11 other cases, within fifteen days thereafter, give  
12 to the county, city, town or person by law obliged  
13 to keep said way in repair, notice of the time,  
14 place and cause of the said injury or damage;  
15 and if the said county, city, town or person does  
16 not pay the amount thereof, he may recover the  
17 same in an action of tort if brought within two

18 years after the date of such injury or damage.  
19 Such notice shall not be invalid or insufficient  
20 solely by reason of any inaccuracy in stating the  
21 time, place or cause of the injury, if it is shown  
22 that there was no intention to mislead and that  
23 the party entitled to notice was not in fact  
24 misled thereby.



